

107509851

Rec'd PCT/PTO 30 SEP 2004  
Customer No. 22,852  
Attorney Docket No.: 07040.0201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
**Stephane SCHAAL et al.** )  
) Group Art Unit: **Not Yet Assigned**  
Application No.: **Not Yet Assigned** )  
) Examiner: **Not Yet Assigned**  
Filed: **September 30, 2004** )  
)  
National Stage of International Application No. )  
**PCT/EP02/04455** under 35 U.S.C. 371, for )  
**TYRE HAVING A HIGH WEAR RESISTANCE,** )  
**TREAD BAND AND ELASTOMERIC** )  
**COMPOSITION USED THEREIN** )

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO-1449 and cited in the international search report. With exception of the U.S. patents, copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form. This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO-1449 and are in a non-English language:

1. European Patent Publication No. EP 0 501 227 B1 - The relevance of this document is discussed at page 2 of the specification of the present application. English-language claims are disclosed on pages 15-17 of the document.
2. European Patent Publication No. EP 0 242 840 B1- The relevance of this document is discussed at page 17 of the specification of the present application. English-language claims are disclosed in columns 12-14 of the document.
3. French Patent Publication No. FR 2 790 478 A1 - The relevance of this document is discussed at page 3 of the specification of the present application.

Also, enclosed is an English-language international search report from the European Patent Office in the PCT international application, from which this national phase U.S. application is derived.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

DT09 Rec'd PCT/PTO 30 SEP 2004  
10/509851


Customer No. 22,852  
Attorney Docket No. 07040.0201

If there is any fee due in connection with the filing of this Statement, please charge  
the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 30, 2004

By:   
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/sci

Atty. Docket No. <b>07040.0201</b>	Application No. <b>Not Yet Assigned</b> <span style="float: right; font-size: 1.5em;"><b>U/509851</b></span>
Applicants <b>Stephane SCHAAL et al.</b>	
Filing Date <b>September 30, 2004</b>	Group: <b>Not Yet Assigned</b>

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		4,550,142	10/29/85	AKITA et al.			
		4,742,124	05/03/88	TSUTSUMI et al.			
		4,768,937	09/06/88	SINGH			
		4,872,822	10/10/89	PIZZORNO			
		5,302,315	04/12/94	UMLAND			
		5,962,562	10/05/99	WIDEMAN et al.			
		6,333,375 B1	12/25/01	NAKAMURA et al.			
		5,656,680	08/12/97	AGUIRRE et al.			
		4,534,799	08/13/85	AGUIRRE			

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
		WO 84/04530	11/22/84	WIPO			
		EP 0 823 417 A1	02/11/98	EUROPE			
		EP 0 469 778 A1	02/05/92	EUROPE			
		EP 0 199 064 A2	10/29/86	EUROPE			
		EP 0 451 604 B1	10/16/91	EUROPE			
		EP 0 928 680 A1	07/14/99	EUROPE			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449 <span style="float: right;">Patent and Trademark Office - U.S. Department of Commerce</span>	

## INFORMATION DISCLOSURE CITATION

USPTO 30 SEP 2004

Atty. Docket No.	07040.0201	Application No.	Not Yet Assigned
Applicants	Stephane SCHAAL et al.		
Filing Date	September 30, 2004	Group:	Not Yet Assigned

10/509851

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
EP 0 928 702 B1	07/14/99	EUROPE			
EP 0 501 227 B1	09/02/92	EUROPE			CLAIMS
EP 0 242 840 B1	10/28/87	EUROPE			CLAIMS
FR 2 790 478 A1	09/08/00	FRANCE			NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce